THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.7264 of 2005

Dated: 04-01-2007

Between:

K. Vijaya Bhaskar.

..... PETITIONER

AND

The District Collector, Kadapa, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.7264 of 2005

ORDER:

The petitioner is resident of Mruthyunjyakunta of Chinnachowk Village, Kadapa Mandal and District. He filed this writ petition seeking a writ of Mandamus declaring the action of the respondents in interfering with the possession of the land admeasuring Acs.3.00 in survey No.1129/3 of said Village (hereafter called, the subject land) and trying to takeover possession for the purpose of allotment of the same as house sites as illegal and arbitrary.

This Court, while admitting the writ petition on 04.04.2005, passed interim order directing the respondents not to interfere with the possession of the petitioner in respect of the subject land. W.V.M.P.No.1644 of 2005 is now moved by the respondents for vacating the interim order. As the similar matter was already decided by this Court in W.P.No.7271 of 2005 on 01.08.2005, this matter is being disposed of at the admission stage.

After perusing the order in W.P.No.7271 of 2005 dated 01.08.2005, this Court is convinced that the factual background of the present case and the case decided earlier is similar. Therefore, following the same, this writ petition is also disposed of directing the respondents to conduct enquiry with regard to the genuineness of DKT patta set up by the petitioner before initiating any proceedings against him for eviction from subject land, if he is in possession of subject land. There shall be no order as to costs.

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(**V.V.S.RAO, J**)

04th January, 2006

ghn